In the Supreme Court of the United States

OCTOBER TERM, 1972

JAMES D. HODGSON, SECRETARY OF LABOR, PETITIONER

v.

ARNHEIM AND NEELY, INC., ET AL.

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

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The opinion, judgment and order on rehearing of the Third Circuit are printed in the Appendix to the Petition for a Writ of Certiorari at pages 13-53.

DOCKET ENTRIES

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Date	Proceedings
1967	
Oct. 5	Complaint filed.
Oct. 6	Summons issued.
Oct. 12	Summons returned served on deft. on 10-9-67.
Oct. 20	Praecipe for appearance filed by Strassburger and McKenna, Esqrs. as counsel for deft.
Oct. 20	ANSWER filed by deft.
1968	
Jan. 17	Motion to Intervene as a deft. filed by the Institute of Real Estate Management of the National Association of Real Estate Boards with ANSWER of said intervening deft. thereon.
Feb. 1	Order dated 1/31/68 entered fixing pretrial procedure. (Miller, J.)
Feb. 6	Order entered directing that if the pltf. or the deft. have any objections to the intervention of the Institute of Real Estate Management of the National Association of Real Estate Boards, said objections shall be filed within 15 days from the date hereof. (Miller, J.)
Feb. 13	Objection to Motion for Intervention, filed by pltf.
Feb. 15	Motion for extension of pretrial order filed by pltf.
Feb. 15	Order entered directing that the time within which the pltf. is directed to file pretrial statement is extended to on or before 3-15-68 & the subsequent time limits established in pretrial order, dated 1-31-68, are similarly extended, each for a 30 day period. (Miller, J.)

Date	Proceedings
1968	
Feb. 27	Interrogatories to deft. filed by pltf. (Nos. 1-21)
March 7	Motion filed and Order entered suspending pretrial Orders entered until further Order. (Miller, J.)
March 27	Order entered dated 3/26/68 continuing hearing on Motion to intervene until further Order. (Miller, J.)
March 27	Hearing begun 3/26/68 on Motion to Intervene before Miller. Hearing memo filed. (No rep.)
May 3	Order entered directing that the argument set for 5-8-68 is postponed pending further order of Court. (Miller, J.)
Aug. 30	Motion to continue argument on objection to petition for intervention set for 9/10/68 filed by U. S. with proposed order thereon.
Sept. 9	Order entered on 8/30/68 Motion continuing argument on Objection to Petition for Intervention until further Order. (Miller, J.)
Dec. 19	Stipulation of counsel filed.
1969	
Jan. 3	Proposed order for granting motion of The Institution of Real Estate Management of the National Association of Real Estate Boards to intervene filed by counsel.
Jan. 14	Order, dated 1-13-69, entered directing that the motion of The Institution of Real Estate Management of the National Association of Real Estate Boards to intervene is granted, with the understanding that litigation will not be extended beyond the facts relating to the business operations of deft. during the relevant period. (Miller, J.)
Feb. 12	Motion filed and Order entered substituting George P. Shultz as party pltf. (Weber, J.)

Date	Proceedings
1969	
March 20	Motion for Summary Judgment filed by pltf.
April 9	Notice and Motion for Summary Judgment filed by deft.
May 22	Hearing on motions for summary judgment begun and concluded before C.A.V. before Miller, J. Hearing memo filed. (Rep. D. Harrington)
June 9	Transcript filed re: Argument on motions for summary judgment held at Pgh. on 5-22-69 before Miller, J. (Rep. D. Harrington)
Sept. 30	Opinion and Order entered directing counsel for pltf., after notice to counsel for deft. and intervener, file proposed form of order for final judgment within 20 days. (Miller, J.)
Oct. 6	Order amending opinion. (Miller, J.)
Dec. 17	Order entered granting deft. and deft. Intervenor's cross motion for summary judgment with respect to wage payments made prior to 2/1/67; granting pltf's. motion for summary judgment with respect to wage payments made after 2/1/67; further ordered that no injunction will be entered regarding future violations of the Act. (Miller, J.)
Dec. 17	Pursuant to Order entered, Summary Judgments are hereby entered accordingly. James H. Wallace, Jr., Clerk
Dec. 18	Notices mailed.
1970	
Jan. 11	Notice of Appeal filed by deft. and intervenor.
Jan. 12	Copies of Notice mailed to Court of Appeals and counsel for the pltf. (U.S. Attorney); letters to counsel for deft. and counsel for intervenor and Judge Miller.
Jan. 16	Notice of Appeal filed by pltf.

Date	Proceedings
1970	
Feb. 18	Copies of Notice mailed ct. of appeals and counsel for deft. and intervenor, letters to counsel for pltf. and Judge Miller.
March 9	Original record mailed Court of Appeals.

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

CASE NO. 18,722, 18,733, 18744

Date	Filings—Proceedings
1970	
Mar. 27	Copy of Notice of Appeal, rec'd. February 19, 1970, filed. Record, rec'd. March 11, 1970, filed. (Covers 18772/18774).
	. . . .
Aug. 27	Brief for appellant, filed. (Covers 18772 only)
	. . . .
Oct. 29	Brief for appellees and cross appellants, Arnheim and Neely, Inc. and Intervenor The Institute of Real Estate Management, filed. (Covers 18772/18774) (25 copies)
	. . . .
Dec. 23	Reply brief for appellant, filed. Certificate of service attached.
	. . . .
1971	
Mar. 17	Argued. Coram: Adams and Gibbons, Circuit Judges and Whipple District Judge. (Covers 18772/4)
Jun. 15	Opinion of the Court (*Adams* and Gibbons, Circuit Judges and Whipple, District Judge) filed. (Covers 18772/4)

Date	Filings—Proceedings
Jun 15	Judgment reversing the judgment of the District Court, filed December 17, 1969, and remanding the cause so that the Government may have the opportunity to introduce evidence regarding each buildings' gross rentals during the relevant years, in accordance with the opinion of this Court, with costs taxed in favor of appellants in all cases, filed. *Of the District Court for the District of New Jersey, sitting by designation.
	• • • •
Sep. 1	Petition for Rehearing for appellant-cross-appellee, filed. Certificate of service attached.
1972	
Feb. 9	Order (Seitz, Chief Judge and Van Dusen, Aldisert, *Adams*, Gibbons, Rosenn, Circuit Judges and Whipple, District Judge) denying petition for rehearing, filed. (Covers 18772/3/4)
Feb. 17	Certified judgment in lieu of formal mandate issued. (Covers 18772/3/4)
	• • • •
Jun 12	Notice of filing (on June 8, 1972) of petition for writ of certiorari rec'd from Clerk of S.C., filed. (S.C. No. 71-1598) (Covers 18772/4)
Oct. 18	Certified copy of order dated October 10, 1972 granting petition for writ of certiorari rec'd from Clerk of S.C., filed. (S.C. No. 71-1598) (Covers 18772/4)
1971	
[illegible] 1	Petition for rehearing for appellant (Secty of Labor) cross-appellee, filed. Certificate of service attached.